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**A Problem Reframed:
Expanding the USSOUTHCOM Role in Border Security**

by

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A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.

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3 May 2010

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Abstract

A Problem Reframed: Expanding the USSOUTHCOM Role in Border Security. In the aftermath of 9/11, border security assumed increased importance. Concerted cooperation between civilian and Department of Defense agencies followed. And while significant progress has been made, there remain areas in need of improvement. The role of the U.S. Southern Command (USSOUTHCOM) would be one such area. By identifying common objectives, the Department of Homeland Security (DHS), U.S. Northern Command (USNORTHCOM) and USSOUTHCOM could more effectively coordinate efforts, expand the USSOUTHCOM role in protecting the U.S. southern border, and thereby improve border security and homeland defense as a whole. In an attempt to demonstrate this thesis, this paper will examine the current threat, current successes in addressing this threat, a specific area in need of improvement, and a proposed solution. This proposed solution will then be examined for strengths and weaknesses in the context of operational art and counter-arguments explored.

The President's highest priority is to keep the American people safe. ...The President is committed to securing the homeland against 21st century threats by preventing terrorist attacks and other threats against our homeland, ...

–The White House
“Homeland Security Guiding Principles”

In the events of 9/11, the threat to our nation became real. Actors from outside our country penetrated our borders with the intention of doing us harm. Accordingly, border security assumed a higher priority. Nearly a decade later, the threat remains no less real and border security no less a priority. While significant efforts have been made to improve cooperation between responsible agencies, there remain areas in need of improvement. The role of the United States Southern Command (USSOUTHCOM) would be one such area. By identifying common objectives, the Department of Homeland Security (DHS), United States Northern Command (USNORTHCOM) and USSOUTHCOM could more effectively coordinate efforts, expand the USSOUTHCOM role in protecting the U.S. southern border, and thereby improve border security and homeland defense as a whole.

In an attempt to demonstrate this thesis, this paper will examine the current threat, current successes in addressing this threat, a specific area in need of improvement, and a proposed solution. This proposed solution will then be examined in the context of operational art and counter-arguments explored.

Current Threat

As a nation which values freedom and personal independence, our ability to monitor and restrict movement across our borders will remain inherently challenging. Even if we choose to

accept decreased freedom in the interest of security¹, there remain significant time-space-force² challenges in securing our borders from the outside threat.

Time

The primary challenge of factor time is that border security, to be effective, must be continuous. It must be employed persistently and without interruption. The same is not true for our enemies and their efforts to defeat that security. The enemy operates on a flexible timeline. It matters little on which particular day a terrorist attack occurs, just that it occurs. Likewise, it matters not on which day he penetrates our border, just that he penetrates successfully. Exacerbating this is the fact that the actual penetration can be a very short-duration operation. The opportunity to detect and defeat may last only as long as it takes a shipping container to pass through port security, a vehicle to pass through a border checkpoint, or a pedestrian to dash across an unmonitored fence line. Additionally, the enemy strategy appears to be enduring. There looks to be little dissipation in our enemy's desire to do us harm. As such, the need to maintain effective border security will remain a necessary priority long into the foreseeable future.

Space

Of the time-space-force operational factors, it is space which is most often discussed as the dominant challenge in border security. The United States and its borders are vast. Over three and a half million square miles of airspace³, 95,000 miles of coastline⁴, and 6,000 miles of

¹ The balance between personal freedom and national security was well demonstrated in the post-9/11 enhanced airport screening procedures. Convinced of the need for improved security, the country willingly sacrificed some measure of personal freedom in the areas of privacy, surveillance, and search and seizure.

² Milan N. Vego, *Joint Operational Warfare, Theory and Practice*, Part III, 3-63.

³ Figure does not include airspace over Alaska and Hawaii. United States Census Bureau, *Census 2000 Summary File*.

⁴ Ivan T. Luke, *DOD's Role in Maritime Homeland Defense and Security*, 2.

border shared with Canada and Mexico.⁵ The scope is daunting. Further complicating the matter is that four mediums now present threats to border security; air, sea, land, and increasingly even undersea.⁶ Our inclination to personal freedom and independence lends itself poorly to positive control of these mediums. Additional complication arises in the fact that approaches to our national boundaries lie divided between two regional combatant commanders,⁷ the seams of which represent potential areas of either duplicate effort or inadvertent neglect.

Force

While certainly no match for U.S. forces in the conventional arena, enemy forces do pose a significant challenge to border security. Probably their most significant strength lies in motivation. Our enemies remain highly motivated to do us harm. Those willing, or even planning to die in the execution of their mission have little regard for border regulations, authorities, or the risks and penalties associated with capture. A second strength lies in the size of force required. The enemy has no need to penetrate the border with large numbers of men and equipment. A single enemy combatant may be all that is required to execute a planned and effective attack, particularly if the attack is to leverage a Weapon of Mass Destruction (WMD).⁸ A third strength lies in the number of available reserves. Whether motivated by religion, ideology, or simply financial gain, there appears to be no shortage of those willing to attempt illegal entry. The final force strength lies in enemy innovation. Likely a result of intense

⁵ Migration Policy Institute, "Migration Information Source: U.S.-Mexico Border", 1-2.

⁶ USSOUTHCOM reports self-propelled semi-submersibles (SPSS) represent an increasingly serious threat. While not a true submersible, they do present a low-visibility, low-wake, low RADAR-return target. SPSS are generally 40-80 feet in length, have a range in excess of 2,000 NM, and now account for an estimated 32% of all cocaine moved through the transit zone. U.S. Southern Command, "The Self-Propelled Semi-Submersible Threat", 1.

⁷ USSOUTHCOM Area of Responsibility (AOR) includes the landmass south of Mexico, the waters adjacent Central and South America, the Caribbean Sea, and portions of the Atlantic Ocean. United States Southern Command, "Area of Responsibility".

USNORTHCOM AOR includes air, land and sea approaches and encompasses the continental United States, Alaska, Canada, Mexico and the surrounding water out to approximately 500 nautical miles. It also includes the Gulf of Mexico, the Straits of Florida, portions of the Caribbean region to include the Bahamas, Puerto Rico, and the U.S. Virgin Islands. United States Northern Command, "About USNORTHCOM".

⁸ The White House, *National Strategy to Combat Weapons of Mass Destruction*, 1.

motivation and his recognized inferiority in conventional capability, the enemy has embraced asymmetry and proven adept at creating new and inventive approaches toward defeating our security efforts.⁹

Aside from an enemy force well suited to attacking border security, the U.S. has several inherent challenges in the area of force. First, our resources remain divided. So long as we are actively engaged worldwide, our resources will remain divided between efforts abroad and those at home. Border security operations are limited accordingly in both the quantity and quality of resources available. Second, our force is predominantly a “lumpy capital”¹⁰ force. Our preference is to invest in fewer but more-technical platforms over larger numbers of the less-capable. While good and necessary against a well-equipped, conventional enemy, this structure proves less than ideal in securing vast expanses of border against an unconventional, asymmetric enemy.¹¹ Third, command-and-control (C2) of border security forces remains complicated. While not unexpected in a mission that incorporates multiple federal, state, and local organizations, it nonetheless complicates matters and provides opportunity for enemy success.

⁹ “*Every time we turn around, the smugglers are extraordinarily creative, extraordinarily adaptive.*” USCG RADM Joseph L. Nimmich, Commander, JIATF-South. U.S. Southern Command, “The Self-Propelled Semi-Submersible Threat”, 1.

The most recent innovation noted involves the increased use of ultra-light aircraft to penetrate U.S. southern border. Kurt Bair, CBP Air and Marine El Paso Branch, Telephone call with author, 11 March 2010.

¹⁰ Author of term undetermined. Utilized by multiple professors, Naval War College, Strategy and Policy Department, winter trimester 2009-2010. Term refers to an economic model in which capital is invested in a small number of more expensive units vice spread more widely through more numerous but less expensive options.

¹¹ The shortfall of the “lumpy capital” system in combating a low-tech, unconventional enemy could be demonstrated in procurement of the P-8A Multi-Mission Maritime Aircraft (MMA). While a capable surveillance platform, MMA is expected to cost \$227 million per aircraft. If concerned only with border security, this investment could arguably be more effectively spent on a fleet of 38 Beechcraft C-12 aircraft at approximately \$6 million apiece. Naval Air Systems Command, “About MMA”, 1. U.S. Navy, “U.S. Navy Fact File: C-12 Huron”, 1.

Current Successes

In light of the threat, concerted efforts have been made to balance these time-space-force challenges. Primary focus has been on C2 relationships and operational intelligence.¹² Successes have been achieved. Where achieved, they have come primarily as a result of separate agencies recognizing common desired-end-states (DES) and objectives. While DHS and DOD have separate and distinct roles, they do share common objectives. One of the primary shared objectives can be distilled generically to “physical border security.” DHS is concerned with the internal threat posed by enemies gaining access and living among our population. DOD is concerned with opposing any external threats bent on gaining that same access. While each has a slightly different focus, both aim at protection of our national borders.¹³

Protection of our borders from airborne threats has been successfully assumed by the DOD. While an airborne threat could be classified as either internal or external depending on the specific circumstances, the capability and capacity for defeating the threat resides only with a single organization.¹⁴ The DOD maintains and operates the equipment necessary to identify and track airborne threats attempting to gain access. The DOD alone possesses the air-intercept capability necessary should the situation require. Responsibility is therefore assigned based not

¹² DHS and DOD recognized the importance of a coordinated intelligence effort in attempting to establish Maritime Domain Awareness (MDA). Exemplifying this coordination was the creation of the National Maritime Intelligence Center (NMIC) which effectively combines Office of Naval Intelligence (ONI) and U.S. Coast Guard Intelligence Coordination Center (ICC) maritime intelligence to achieve an improved threat picture. Victor E. Renuart Jr. and Dane S. Egli, “Closing the Capability Gap: Developing New Solutions to Counter Maritime Threats”, 3.

¹³ Ivan T. Luke, *Homeland Security-Civil Support: How DOD Plugs into the Interagency C2 Structure*, 1-5.

¹⁴ DHS remains responsible for airport passenger screening. Screening is designed to first intercept potential threats at the point of entry, and second to prevent legally-operated commercial airliners from becoming airborne weapons. While critical, neither purpose falls within the historic air defense mission of “responding to unknown, unwanted, and unauthorized air activity approaching and operating within [sovereign U.S. airspace]”. North American Aerospace Defense Command, “About NORAD”.

on authority, but on this capability and capacity.¹⁵ While still a common objective to both, the responsibility for this aspect of border security falls solely to the DOD.

Protection of our borders from maritime threats is slightly more complicated. Both DHS and DOD maintain capabilities to detect and intercept potential maritime threats. The need for coordination is clear. In an effort to achieve this, the Maritime Operational Threat Response (MOTR) process was created. MOTR is fundamentally a protocol which forces conversation aimed toward mutual agreement. With a threat identified and an impending operational response likely, respective agencies contact one another, clarifying the desired outcome to the situation. Courses of action (COA) are proposed, the appropriate COA selected, and a lead agency selected based on the course chosen. While not intended to achieve unity of command, the MOTR process has proven very effective in at least establishing unity of effort in the accomplishment of common objectives.¹⁶

In Need of Improvement

While DHS and DOD have done well to identify and coordinate the achievement of common objectives in the air and maritime environments, less success has been achieved on the ground.¹⁷ The DOD has played a very limited role in supporting border security along the Canadian and Mexican borders. This task has instead fallen almost singularly to the DHS and its Customs and Border Protection (CBP) subdivision. This would be acceptable if, as in the case with USNORTHCOM and its assignment as the sole air-intercept agency, DHS maintained sufficient capability to accomplish the mission without assistance. This is not the case.¹⁸

¹⁵ Ivan T. Luke, *Homeland Security-Civil Support: How DOD Plugs into the Interagency C2 Structure*, 4.

¹⁶ Ivan T. Luke, *DOD's Role in Maritime Homeland Defense and Security*, 6-13.

¹⁷ This is of particular concern as terrorism, arguably our most serious homeland security threat, has historically been a land-based phenomenon. In 2004, the National Targeting Center documented 651 terrorist attacks, 649 of which were land-based. Richard Farrell, "Maritime Terrorism: Focusing on the Probable", 46.

¹⁸ Study conducted by researchers at Stanford University and George Mason University to develop a mathematical model predicting the likelihood of terrorist infiltration across U.S.-Mexico border. Based on the current border-

North vs. South

While border security must account for both the Canadian and Mexican borders, the threat posed by each is disparate. The Canadian border, while longer than the Mexican, has historically had a far lower incidence of illegal penetration.¹⁹ This is likely a result of three things; a standard of living relatively equivalent with that of the U.S.²⁰, a lower occurrence of drug-trade activities, and a robust law enforcement capability on the part of the Canadian government.²¹ As a direct result, the border threat of primary concern has historically been the southern. This remains the case and can be best explored through evaluation of its unique time-space-force challenges.

Unique Time-Space-Force

While all of the challenges addressed in the original time-space-force discussion still apply, there are several additional challenges unique to the southern border. The U.S.-Mexico border stretches 1,950 miles, much of it sparsely-populated and rugged in its terrain. Complicating this terrain is that we presently have access to only the northern side of the border. Our ability to observe and monitor enemy activity on the southern side remains significantly impaired.²² Additionally, the ability of Mexican law enforcement to assist in securing the border has proven to be limited. A final space consideration involves the civilian populace. Every year,

screening process, study found the probability of a non-Mexican terrorist successfully penetrating the border was 97.3%. Federation for American Immigration Reform, "Study Finds Porous Border Poses Significant Terrorist Threat", 1.

¹⁹ Illegal traffic across the U.S.-Mexico border accounts for an estimated 97-98% of illegal immigration. Global Security, "U.S.-Mexico Border Fence: The Great Wall of Mexico", 1.

²⁰ In 2009, U.S. per capita income was \$45,230. Canada per capita income was \$45,166 compared with Mexico's \$9,964. United Nations Statistics Division, *Social Indicators*, table 1.

²¹ Mexico remains the major transit and source country for cocaine, heroin, methamphetamines, and marijuana coming into the U.S. An estimated 90% of all cocaine entering the U.S. arrives via the Mexico border. Corruption within Mexico's security and judicial bodies has proven a significant impediment to curtailing this illegal trade. The Department of State, Bureau of International Narcotics and Law Enforcement Affairs, *2009 International Narcotics Control Strategy Report: Country Reports*.

²² Kurt Bair, CBP Air and Marine, El Paso Branch, Telephone conversation with author, 11 March 2010.

an estimated 400,000-1,000,000 illegal immigrants enter our nation across this border.²³ The vast majority enter without hostile intent. The problem, of course, is sorting from within this mass those few who do. The ability of the enemy to blend among these masses represents a considerable challenge in detecting and deterring the potential threat.²⁴

CBP border patrol agents have been primarily tasked with guarding this expansive border, and doing so with uninterrupted continuity. By all accounts, the resources assigned to monitoring, detecting, and intercepting threats along America's southern border are insufficient for the task at hand.²⁵

Proposed Solution

As we have seen, the task of securing our borders is daunting. The U.S.-Mexico border, in particular, presents unique challenges. To propose a definitive solution would be ambitious. But progress is necessary, and likely attainable through an increased USSOUTHCOM role in border security. As with the successes seen in the DHS-DOD cooperative efforts to defeat the air and maritime threats, the first and critical component is recognizing common objectives and missions. This process of expanding and incorporating USSOUTHCOM would be no exception.

Common Mission

USSOUTHCOM divides its overall mission into eight focus areas.²⁶ Of particular interest to this discussion is the Counter Drug/Counter Narcoterrorism (CD/CNT) focus. The

²³Global Security, "U.S.-Mexico Border Fence: The Great Wall of Mexico", 1.

²⁴ Ibid., 1.

²⁵ Official CBP statistics estimate that only 1 in 5 illegal aliens are apprehended. Ibid., 1. Resources have been allocated primarily to those areas with higher traffic volume. While done of necessity, the result is large areas of the southwest border not yet under "operational control" and accessed daily by thousands of illegal aliens. The Department of Homeland Security, Customs and Border Protection, Office of Border Patrol. *National Border Patrol Strategy*, 5.

²⁶ The stated USSOUTHCOM mission is to conduct joint and combined full-spectrum military operations and support whole-of-government efforts to enhance regional security and cooperation. This mission is then divided into the following focus areas: Counter Drug/Counter Narcoterrorism, Exercises and Operations, Human Rights,

CD/CNT effort encompasses and attempts to impact multiple aspects of the narcotics trade.²⁷ Of particular concern to this discussion is the interdiction of supply. Efforts are first made to interdict the supply at the source. These efforts are augmented by operations to intercept the supply during transport. Surveillance is conducted to detect, monitor, track, and coordinate interdiction of those attempting to transport drugs via air, sea, or land. Actual interdiction is conducted by DHS or foreign nation assets.²⁸ These efforts, when successful, reduce the quantity of supply available for import while simultaneously increasing the cost to the producer. This cost passes to the consumer and directly contributes toward our national drug control strategy.²⁹ The original CD mission was recently expanded to include CNT. This revised designation was made in acknowledgment of the role narcotics trade plays in criminal activity, country destabilization, and the resulting potential environment for terrorist organizations.³⁰

While CD/CNT may appear on the surface to be an isolated, stand-alone mission, the reality is quite different. At its core, CD/CNT relies on the ability to identify, detect, track, and intercept those attempting to move illegal substances across national borders. This effort to prevent the illegal entry of persons or substances into U.S. territory could rightly be defined as border security. With this common DES and objectives in mind, the opportunity for DHS, USNORTHCOM, and USSOUTHCOM to coordinate efforts seems apparent and potentially quite beneficial.

The Plan

Humanitarian Assistance, Interagency Cooperation, Public/Private Cooperation, Science and Technology, Theater Security Cooperation. U.S. Southern Command, "Our Mission".

²⁷ The USSOUTHCOM CD/CNT mission encompasses more than simply interdicting supply. Additional efforts are directed toward apprehension of growers and processors, destruction of supply prior to transport, and training of host nation forces in conducting independent CD/CNT operations. Ibid.

²⁸ This delineation of authority is necessary under Posse Comitatus which limits federal forces in the conduct of law enforcement operations. U.S. Joint Chiefs of Staff, *Homeland Defense (JP 3-27)*, x.

²⁹ The White House, Office of National Drug Control Policy, *National Drug Control Strategy: 2009 Annual Report*, 3, 23.

³⁰ U.S. Southern Command, "Our Mission".

The proposed step toward improvement, then, is to expand USSOUTHCOM's role from a strictly CD/CNT focus to a broader border security mission and coordinate its efforts with current DHS and USNORTHCOM missions. To effectively accomplish this, four major steps are proposed.

1. Reframe the current SOUTHCOM CD/CNT mission, in particular the intercept portion of that mission, to the broader mission of border security.
2. Establish C2 protocol designed to enhance unity of effort and economy of force. The DHS-DOD MOTR process would provide an excellent template. The primary stakeholders in such a process should include DHS, USNORTHCOM, USSOUTHCOM, and the Department of State (DOS).
3. Utilize Joint Interagency Task Force South (JIATF-South) as the primary organization for executing the expanded mission. As with USSOUTHCOM as a whole, JIATF-South must reframe its mission from one with a strictly CD/CNT interdiction focus to a broader border security scope. In addition, its Joint Operating Area (JOA) must be expanded to include Mexico and the U.S. southern border.
4. Establish permission to operate within the territorial airspace of Mexico. While certainly a challenge, there is historical precedent. In the past, CBP aircraft routinely operated within Mexican airspace in surveillance and interdiction roles under Operation HALCON.³¹ Efforts are currently underway to have this program reinstated.³² To be truly effective, however, the permissions should be requested for not just DHS aircraft, but DOD as well. In conjunction with this improved access, efforts should be made to

³¹ Operation HALCON permitted CBP Air and Marine pilots to operate within Mexican airspace during border reconnaissance operations. The program was cancelled in November 2006 due to U.S.-Mexican liability disagreements. Roig-Franzia, Manuel, "Mexican Drug Cartels Move North", 1-2.

³² Discussion is currently underway to reinstate the Operation HALCON program and U.S. access to Mexican airspace. Kurt Bair, Air and Marine El Paso Branch, Telephone conversation with author.

incorporate Mexican military and law enforcement agencies in border security operations to the maximum extent practicable.³³ This coordination would likely fall outside military channels and consequently necessitate DHS and DOS involvement.

The Plan Evaluated

In an effort to demonstrate the potential benefits and issues associated with the proposed plan, a brief evaluation can be conducted in the context of applicable principles of war (POW), other principles of joint operations, and operational factors.

Principles of War

Border security operations are not war. Although often designated as components to the “global war on terror” or “war on drugs”, they rarely resort to lethal operational fires, are persistently on-going (vice having fixed start and stop points as do most conventional armed conflicts), and are distinctly law-enforcement by nature. Nonetheless, many POW still apply.³⁴

Mass. By redefining USSOUTHCOM’s role in border security and enlarging its scope to include the U.S.-Mexico border, additional DOD forces are made available for operations along the southern border.³⁵ These forces, combined with DHS assets already assigned could achieve effective mass and concentration along portions of the border determined to be strategic points.³⁶

³³ This cooperation would be consistent with the current administration’s stated intention to invest \$5 billion in the Shared Security Partnership program in an effort to enhance the ability of our partner nations to improve their own security and assist in the defeat of terrorism. The White House, “Homeland Security Guiding Principles”.

³⁴ POW remain relevant in their ability to evaluate a given force and its operational plans with regard to the potential for efficient and effective mission accomplishment.

³⁵ USSOUTHCOM would retain authority to assign forces as appropriate to best meet all assigned missions. Likely assets for border security consideration would include Airborne Warning and Control (E-3, E-2), Patrol and Reconnaissance (P-3, HU-25), and rotary-wing intercept (HH-60, HH-65, MH-68) platforms presently assigned to JIATF-South CD/CNT operations.

³⁶ CBP identifies its primary challenge in enforcing the southern border as improving its detection and surveillance capability. Noted in this challenge is the accompanying fiscal investment required. Utilization of DOD assets could certainly assist in meeting this challenge in lieu of increased CBP funding. The Department of Homeland Security, Customs and Border Protection, Office of Border Patrol, *National Border Patrol Strategy*, 16.

Objective. Properly conceived objectives should be formulated based on the eventual DES. The DES is an America safe and secure from threats posed by outside actors.³⁷ A national-strategic objective, therefore, would be sufficient border security to prevent the illegal penetration by air, sea, or land. The corresponding theater-strategic objective would be secure southern approaches to our national boundaries. The operational objective, closely tied, would be a secure U.S.-Mexico border protected by sufficient surveillance and interdiction capability to detect and defeat attempted violations. When viewed in this context, the shift in USSOUTHCOM's focus to include border security and expansion of its purview to include Mexico seems appropriate. While certainly desirable to monitor and protect all of the Caribbean and Central America³⁸, the ultimate objective is defense of the homeland.³⁹ As such, protection of U.S. borders, in this case the southern border, should trump all other ancillary objectives and missions.

Economy of Force. The proposed C2 structure would greatly enhance our ability to achieve economy of force. As demonstrated in the maritime realm's MOTR process, the ability to identify pending operations, discuss potential COA's, determine which is appropriate, and then assign a lead agency in its execution dramatically reduces redundancy and improves efficiency.⁴⁰ A similar C2 arrangement between DHS-USNORTHCOM-USSOUTHCOM could be expected to maximize available resources in like manner.

Maneuver. Border security, as compared to conventional warfare, is far more defensive and static by its very nature. Maneuver can, however, still play a role. The primary maneuver advantage to be gained in the proposed plan would involve access to Mexican airspace. Given

³⁷ The White House, "Homeland Security Guiding Principles".

³⁸ Interdiction operations conducted in the Caribbean and Central America would be consistent with the principle of "defense in depth." For further discussion, see Counter-arguments: Surrendering the Offensive (p 20).

³⁹ The White House, "Homeland Security Guiding Principles", 1.

⁴⁰ Ivan T. Luke, *DOD's Role in Maritime Homeland Defense and Security*, 6.

this additional freedom of maneuver, operational forces could monitor and interdict an enemy from approaches other than those limited solely to points north of the border.

Unity of Command. Because no one agency will be exercising legal command over another, unity of command must be replaced with the notion of unity of effort.⁴¹ Discussed briefly in conjunction with the proposed C2 structure, the same MOTR-like protocol that would enhance economy of force would likewise enhance unity of effort. Pre-operation discussion and decision making provides the ideal opportunity to vet issues and clarify objectives, thereby ensuring all involved parties are unified in direction and aim.

Simplicity. Rarely is simplicity used to describe joint or interagency operations. The proposed plan could easily prove guilty of the same. If implemented, it would require coordination between three DOD organizations, three federal non-military agencies, and multiple embedded agencies.⁴² Mitigating this potential mess would be the proposed C2 protocol, a system which has proven effective and efficient in the form of MOTR. While not as simple as operating independently, the benefits of incorporating USSOUTHCOM into coordinated border security operations far outweigh any sacrifices in simplicity.

Other Principles

As a joint and combined operation, the plan requires that consideration be given to three additional principles.⁴³

Legitimacy. Certainly any sovereign nation can be expected to defend its borders, the right to do so being innate. The U.S. though, often accused of intervening where not particularly

⁴¹ Ibid., 8-9.

⁴² DOD agencies should include USNORTHCOM, USSOUTHCOM, and JIATF-South. Non-DOD federal agencies could include DHS, DOS, and Department of Justice. Imbedded organizations could include CBP, U.S. Coast Guard, Drug Enforcement Agency, Federal Bureau of Investigation, National Park Service, Immigration and Naturalization Service, and Immigration and Customs Enforcement, and Alcohol, Tobacco and Firearms.

⁴³ Previously described as Principles of Military Operations Other Than War (MOOTW), now defined simply as “Other Principles”. POW and Other Principles combine to form Principles of Joint Operations. U.S. Joint Chiefs of Staff, *Joint Operations (JP 3-0)*, Appendix A.

welcome, must ensure any move to further fortify our southern border is not viewed as being offensive toward Mexico. There could be legitimate criticism of a plan which advocates for unrestricted operation within sovereign Mexican territory. To mitigate this concern, two things must be done. First, any access to Mexican airspace must be coordinated through the DOS. Second, Mexican military and law enforcement agencies must be invited to participate to whatever extent practical. So long as the USSOUTHCOM expansion can be maintained and viewed as a partnership between the U.S. and Mexican governments, vice a one-sided American effort to run roughshod over a weaker neighbor, the legitimacy of southern border security operations will remain intact.

Restraint. This is generally of little concern as the vast majority of border security operations are conducted as law-enforcement activities.⁴⁴ Apprehension is generally the desired outcome and most fires non-lethal in nature. The potential, however, does exist. The proposed plan incorporates two aspects designed to mitigate the danger of escalation. First, USSOUTHCOM's expanded role would be incorporated under the CS/DSCA role. This would represent no change from USSOUTHCOM's current role in the CD/CNT mission as DOD forces support the mission only in the monitoring, detection, and tracking of suspected enemy targets. Actual interdiction is conducted by DHS assets or DHS elements embarked upon DOD assets.⁴⁵ The proposed USSOUTHCOM expansion would likewise be limited to a supporting role.⁴⁶ The

⁴⁴ The Department of Homeland Security, Customs and Border Protection, Office of Border Patrol. *National Border Patrol Strategy*, 1.

⁴⁵ The USSOUTHCOM CD/CNT mission remains consistent with the CS/DSCA support role in accordance with Posse Comitatus. Ivan T. Luke, *Homeland Security-Civil Support: How DOD Plugs into the Interagency C2 Structure*, 6.

⁴⁶ Posse Comitatus refers to Title 18, U.S. Code, Section 1385. "Whoever, except in cases and under circumstances expressly authorized by the Constitution or act of Congress, willfully uses any part of the Army as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both." While addressing only the Army, DOD practice has been to apply restriction to all services. Restriction on "executing the law" has historically address search, seizure, arrest, or criminal investigation of U.S. citizens. Additional legal legitimacy exists in the fact that border security surveillance targets foreign nationals attempting

second aspect designed to ensure restraint is the proposed C2 structure. The requirement for all involved agencies to agree upon the appropriate COA is critical. It provides the C2 collective with a greater range of options than are possessed in any single agency, minimizes the danger of an agency, operating independently, of selecting a COA based solely on its capabilities or preferences, and provides the opportunity to sort through issues as a group thereby minimizing the danger of a single commander inaccurately assessing the threat and consequently responding in a disproportionate manner. While the principle of restraint is not a major concern, the proposed plan nonetheless accounts for its importance.

Perseverance. So long as there remain those who hate America, the need to protect our borders will remain. Persistence, in this regard, is a given. The proposed plan, however, does facilitate persistence in its selection of USSOUTHCOM for expansion over USNORTHCOM. USNORTHCOM, with its limited standing force,⁴⁷ would be required to augment, drawing forces away from other units. Even then, this augmentation would be by design a temporary measure meant to be reversed at the earliest convenience.⁴⁸ USSOUTHCOM, on the other hand, has an assigned standing force available for immediate and ongoing utilization.⁴⁹ This capacity lends itself well to persistence. A second aspect of persistence relates to the cooperation with Mexican forces. With a view toward our eventual DES, it would be much to our benefit if one

illegal entry and not U.S. citizens in the vicinity. John R. Brinkerhoff, “The Posse Comitatus Act and Homeland Security”, 1.

⁴⁷ Norman M. Wade, *The Joint Forces Operations and Doctrine SMARTbook: Guide to Joint, Multinational and Interagency Operations*, I-37.

⁴⁸ USNORTHCOM does control Joint Task Force North (JTF-North). Established in November 1989 as Joint Task Force SIX (JTF-6), it was renamed in September 2004 and its mission expanded from counter-drug (CD) to coordination of military support to civilian law enforcement agencies (MSCLEA). JTF-North receives support requests from civilian agencies and then attempts to solicit military units capable and willing to volunteer in meeting the request. Military participation is approved based on training value of mission or if deemed a significant contribution to national security. Military units return to their assigned mission upon completion. Joint Task Force North, “Homeland Security Support”, 1.

⁴⁹ USSOUTHCOM has an average standing force of approximately 1,200. Included in this standing force is JIATF-South and its continuously deployed air and marine CD/CNT units. Norman M. Wade, *The Joint Forces Operations and Doctrine SMARTbook: Guide to Joint, Multinational and Interagency Operations*, I-39.

day the U.S.-Mexico border situation resembled the current U.S.-Canada border. Again, the proposed plan takes into account the need to incorporate Mexican forces. While not likely in the near term, these efforts at least aim toward an eventual Mexican force capable of detecting and interdicting potential enemies prior to their reaching the border.

Operational Factors

In concluding the evaluation, the examination will look at the originally-identified time-space-force challenges and how the proposed plan intends to mitigate some formidable disadvantages.

Time

The originally-identified challenges included a flexible enemy timeline, short-duration attempts at border penetration, and an enduring commitment to succeeding. These directly translated into a U.S. requirement for a continuous surveillance capability, a fast-reaction interdiction capacity, and an equally enduring commitment to border protection. The plan, by redirecting USSOUTHCOM focus and assets to the southern border, increases the force available for the mission and thereby enables the necessary continuous surveillance and ready-interdiction capability. In addition, it facilitates improved intelligence cooperation, potentially resulting in improved cueing data and increased notification time of impending attempts at penetration. Finally, in assigning USSOUTHCOM vice USNORTHCOM, the plan leverages an already-standing, experienced, and permanently-assigned force thereby facilitating the necessary enduring border protection capacity.

Space

Identified as the primary space challenges were the general scope of U.S. borders, the multiple mediums available for approach, and the relative freedom of movement permitted

within proximity of the U.S. borders. Specific to the southern border was a Mexican population prone to illegal entry, a widespread narcotics trade, a limited ability to monitor activity south of the border, and an ineffective law enforcement capability on the part of the Mexican government. The plan addresses scope in two ways. First, it provides USSOUTHCOM with the ability to refocus theater-wide CD/CNT attention toward the reduced geographic space of the U.S. southern border. Second, it leverages an improved intelligence capability⁵⁰ to effectively narrow the space which must be searched in attempting to interdict suspected enemy targets. Freedom of movement in proximity to the U.S. southern border and an enemy's desire to blend with the general population are both addressed through an increased surveillance capacity. By combining USSOUTHCOM forces with those of DHS, mass is achieved enabling increased coverage. By gaining access to Mexican airspace, additional freedom of maneuver and area of coverage are achieved. Finally, in an attempt to improve Mexico's internal law enforcement capability, the plan incorporates Mexican forces into border security operations in an attempt to encourage a resident capability.

Force

Force issues which were identified included a motivated, innovative enemy with ample reserves and the necessity to operate only in small numbers. Additional challenges were noted in the limited DHS and DOD resources available to the mission and the by-nature difficulty of joint and interagency operations. While little can be done to alter the motivation of an enemy, efforts can be made to increase the cost associated with his operations. While this approach is not new, the proposed plan does this by increasing the detection and apprehension rates along the southern U.S. border. As discussed earlier, the challenge of locating small enemy numbers among a large

⁵⁰ Improved intelligence sharing and collaboration would be expected as a result of increased DHS-USSOUTHCOM coordination. This expectation would be consistent with results noted following DHS-DOD cooperation in maritime border security operations (reference Note 10).

immigrant population is addressed through improved intelligence and surveillance capacity. Limited U.S. resources and potentially complicated joint and interagency C2 was addressed through implementation of a MOTR-like protocol designed to identify threats, determine the appropriate COA, assign a lead agency, and coordinate DHS-USNORTHCOM-USSOUTHCOM efforts in response.

Counter-arguments

As with any proposed plan, counter-arguments do exist. Three will be examined; the first related to the selection of USSOUTHCOM, the second and third related to the risks of a refocused USSOUTHCOM.

USSOUTHCOM vice USNORTHCOM

The first question likely raised to this proposed plan would be, “Why USSOUTHCOM?” Mexico is, after all, within the USNORTHCOM Area of Responsibility (AOR), not the USSOUTHCOM.⁵¹ There are three reasons which would explain.

First, Mexico itself has proven a very porous nation. Not only in its inability to restrain the illegal outflow into the U.S., but also in its inability to control illegal influx into its own territory. As such, our border with Mexico could very accurately be seen as a border with Central and South America as a whole.⁵² USSOUTHCOM’s interest and responsibility consequently seem quite clear.

⁵¹ A similar argument could be made that if USSOUTHCOM were to assume responsibility for the southern border, U.S. Pacific Command (USPACOM) may request or be assigned responsibility for the western boundary. While similar in construct, there remains a significant distinction in necessity. DHS-USNORTHCOM have proven capable and effective in providing sufficient security for our western approaches. As demonstrated, this is not presently the case with the U.S.-Mexico border. Necessity dictates USSOUTHCOM consideration.

⁵² Acknowledged in the 2008 *Merida Initiative*. An agreement between the U.S., Mexico, Central American and Caribbean nations, the initiative attempts to confront the transnational criminal and drug-trafficking organizations which plague the region and inevitably cross borders to impact U.S. territory and citizens. The need for assistance was recognized and the agreement signed by Mexico on 3 December 2008. The Department of State, Bureau of International Narcotics and Law Enforcement Affairs. 2009 *International Narcotics Control Strategy Report: Country Report*.

Second, and unlike USNORTHCOM, USSOUTHCOM has a ready and adequate standing force. With the exception of its resident air-intercept capability, USNORTHCOM is generally required to augment its forces in response to a particular and emergent need. USSOUTHCOM, by contrast, has operational forces already assigned and available for more-continuous employment.

Third, and as outlined above, USSOUTHCOM has years of experience and resident expertise in the mission skill sets essential to border security. Chief among these would be its experience and success in coordinating with other service, federal, and foreign national agencies. Joint Interagency Task Force South (JIATF-South), established by USSOUTHCOM in response to the CD/CNT mission requirements, has proven very effective in this role.

Mission Neglect

The second argument against a refocused and expanded USSOUTHCOM mission is concerned with the potential neglect of USSOUTHCOM's other assigned, and admittedly valuable missions. Resources are fixed. To divert focus, and subsequently assets, toward U.S.-Mexico border security threatens to make other missions untenable. Of particular concern is the current CD/CNT mission, as the skill sets and assets involved have been recognized and tagged as directly applicable to the planned border security operations.⁵³

The argument is valid. Assets are limited and at least some portion of those currently assigned to CD/CNT would be redirected. The failure of the CD/CNT mission, however, is certainly not a foregone conclusion. The current operational objectives aim at interdicting

⁵³ While the CD/CNT mission appears most in jeopardy, impact to the remaining USSOUTHCOM mission areas of Exercises and Operations, Human Rights, Humanitarian Assistance, Interagency Cooperation, Public/Private Cooperation, Science and Technology, and Theater Security Cooperation must be at least considered. Assuming USSOUTHCOM assigns to border security only those resources currently allocated to the JIATF-South CD/CNT interdiction mission, no collateral impact is expected as JIATF-South resources are dedicated singularly to CD/CNT mission.

narcotics at either their source, while in transit to the U.S., or while in transit to an intermediate stop on their way to the U.S. These operational objectives, however, are in support of a larger theater-strategic objective, namely to reduce the flow of illegal narcotics from South and Central America through the U.S. southern border areas. The proposed plan focuses some attention away from source and transit interdiction in favor of border interdiction, but remains consistent with this theater-strategic objective. Effective border control will, by default, result in effective CD/CNT operations.⁵⁴

Surrendering the Offensive

The final argument asserts that to refocus USSOUTHCOM on border surveillance and intercept neglects the principle of offense and assumes a strategically defensive position. Better to take the fight to the enemy than wait until he brings it home.

Again, the argument is valid. Given the option, certainly our preference would be to develop “defense in depth” and defeat potential enemies long before they arrive at our borders. The reality, however, is dictated by resource limitations. DHS-USNORTHCOM-USSOUTHCOM simply do not possess the resources required to chase potential enemies across the western hemisphere and still maintain adequate, in-depth border security measures at home. The decision, then, on where to focus operational attention and allocate resources must be based on the DES, national and theater-strategic objectives. Our national priorities are clear. Homeland security, and consequently effective border security, warrant first attention.

Conclusion

Those who would threaten our nation are scattered worldwide. In response, U.S. forces are scattered worldwide in an attempt to defeat this threat. While good and effective, our

⁵⁴ JIATF-South has been recognized for its work in effectively coordinating DOD, USCG, DEA, and FBI resources in the CD/CNT effort. JIATF-South coordination is credited with the interdiction of 200 metric tons of cocaine in 2008. U.S. Southern Command, “Our Mission”.

national defense ultimately hinges on the protection of our homeland and home population. The physical security of our borders must be prioritized accordingly.

Effective border security requires joint and interagency cooperation. The potential benefits of this cooperation have been nicely demonstrated in the DHS-USNORTHCOM coordinated approach to defeating air and maritime threats to our borders. Our southern border, however, requires attention.

Up to this point, USSOUTHCOM has remained relatively insulated from U.S. border security operations. It has, however, developed a robust CD/CNT capability. Much of this mission, when examined in light of national and theater-strategic objects, can be distilled and reframed as a “border security” operation; an effort to control who and what enters our country. In addition, the fundamental skill sets employed in the conduct of the CD/CNT mission translate seamlessly to the U.S. border security mission.

In light of this evaluation, USSOUTHCOM efforts should be refocused and its role in border security expanded accordingly. With its common objective and compatible mission, USSOUTHCOM should be incorporated into the current DHS-USNORTHCOM effort and assume a direct support role in the U.S.-Mexico border security operations. The benefits to be gained would certainly prove the effort worthwhile.

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